



**MICHIGAN**  
**HOUSE OF REPRESENTATIVES**  
P.O. Box 30014  
LANSING, MICHIGAN 48909-7514

**MINUTES OF THE COMMITTEE**  
**ON**  
**OVERSIGHT**

Thursday, March 16, 2017

9:00 a.m.

Room 326 House Office Building

The House Standing Committee on Oversight was called to order by the Chair.

Members present: Reps. Graves, Howrylak, Iden, Johnson, Hertel, Chirkun  
Absent/Excused: None

Representative Johnson moved to adopt the minutes of March 9, 2017. There being no objection, the motion prevailed by unanimous consent.

The Chair laid HB 4184 before the committee:

HB 4184 (Theis)                      Civil rights; open meetings; physical presence required for vote;  
clarify.

Representative Theis testified in support of her bill. Questions and discussion followed.

Jennifer Rigterink submitted a card on behalf of the Michigan Municipal League in support of the bill.

Jennifer Smith testified on behalf of the Michigan Association of School Boards indicating they have not yet taken a position but have some concerns with the bill. Questions and discussion followed.

Representative Johnson moved to adopt substitute H-1. The motion prevailed 5-0-0.

**FAVORABLE ROLL CALL**

Yeas: Reps. Graves, Howrylak, Johnson, Hertel, Chirkun.  
Nays: None.  
Pass: None.

The Chair laid HB 4205 before the committee:

HB 4205 (Cole)                      Administrative procedure; rules; adoption of rules by state  
agencies; prohibit from being more stringent than federal  
regulations.

Denise Pallarito, Legislative Director for Representative Triston Cole, testified in support of the bill. Questions and discussion followed.

Representative Iden moved to adopt substitute H-2. Representative Johnson asked for clarification on the substitute. Hassan Beydoun, General Counsel for the House Republican Policy Officer, testified in regards to the changes made by the H-2 substitute.

The Chair laid the committee at ease at 9:20 a.m.

The Chair reconvened the committee at 9:22 a.m.

Hassan Beyoun answered further questions from committee members in regards to the substitute.

Representative Iden moved to adopt substitute H-2. The motion prevailed 6-0-0.

#### FAVORABLE ROLL CALL

Yeas: Reps. Graves, Howrylak, Iden, Johnson, Hertel, Chirkun.

Nays: None.

Pass: None.

Sean Hammond on behalf of the Michigan Environmental Council testified in opposition to the bill. Questions and discussion followed. Hassan Beydoun answered a question arising from Sean Hammond's testimony.

Robert Gordon on behalf of the Michigan chapter of the Sierra Club testified in opposition to the bill. Questions and discussion followed. Hassan Beydoun answered questions arising from Robert Gordon's testimony.

Amanda Fisher submitted a card on behalf of the National Federation of Independent Business in support of the bill.

Adam Sandoval submitted a card on behalf of the Michigan Office of Regulatory Reinvention indicating that the Michigan Office of Regulatory Reinvention is neutral on the bill.

The following people submitted a card in opposition to the bill but did not wish to speak:

Ray Holman, UAW Local 6000.

Kara Cook, Michigan League of Conservation Voters.

The Chair laid HB 4259 before the committee:

HB 4259 (Graves)	Legislature; auditor general; authority to obtain confidential or electronic data; provide for.
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Representative Johnson moved to report HB 4259 with recommendation. The motion prevailed 6-0-0

#### FAVORABLE ROLL CALL

Yeas: Reps. Graves, Howrylak, Iden, Johnson, Hertel, Chirkun.

Nays: None.

Pass: None.

The Chair laid HB 4301 before the committee:

HB 4301 (Iden)	Public employees and officers; state; list of employees, position title, classified or nonclassified civil service distinction, and salary for each state department; require monthly internet posting.
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Representative Howrylak offered the following amendment to House Bill 4301:

1. Amend page 2, line 23 after “**THE**” by striking out “**NAME**,”.

Representative Howrylak testified in support of his amendment.

Representative Howrylak moved to adopt his amendment. The motion failed 3-3-0.

#### UNFAVORABLE ROLL CALL

Yeas: Reps. Howrylak, Hertel, Chirkun.

Nays: Reps. Graves, Iden, Johnson.

Pass: None.

Representative Howrylak offered the following amendment to House Bill 4301:

1. Amend page 2, line 24, after “**DISTINCTION**,” by striking out “**AND**”.
2. Amend page 2, line 24 after “**SALARY**” by inserting a comma and “**AND BENEFITS INFORMATION**”.

Representative Howrylak testified in support of his amendment.

Representative Howrylak moved to adopt his amendment. The motion prevailed 4-2-0.

#### FAVORABLE ROLL CALL

Yeas: Reps. Graves, Howrylak, Iden, Johnson.

Nays: Reps. Hertel, Chirkun.

Pass: None.

Representative Hertel offered the following amendment to House Bill 4301:

1. Amend page 2, following line 25, by inserting:  
“(E) IF THE DEPARTMENT HAS ENTERED INTO A CONTRACT WITH A CONTRACTOR UNDER WHICH THE CONTRACTOR IS TO PROVIDE SERVICES THAT THE DEPARTMENT IS REQUIRED TO OR WOULD OTHERWISE PROVIDE OR FULFILL AN OBLIGATION OR DUTY OF THE DEPARTMENT, A LIST OF THE CONTRACTOR’S POSITION, TITLE, AND SALARY INFORMATION FOR EACH EMPLOYEE.”.

Representative Hertel testified in support of his amendment.

Representative Hertel moved to adopt his amendment. The motion failed 3-3-0

UNFAVORABLE ROLL CALL

Yeas: Reps. Howrylak, Hertel, Chirkun.

Nays: Reps. Graves, Iden, Johnson.

Pass: None.

Representative Hertel offered the following amendment to House Bill 4301:

1. Amend page 3, line 15 after “**IF**” by striking out the balance of the subsection and inserting “**EITHER OF THE FOLLOWING APPLIES:**
  - (A) **THE DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET DETERMINES, BASED ON A REQUEST MADE BY THE EMPLOYEE’S DEPARTMENT, THAT POSTING THE INFORMATION WOULD ENDANGER THE SAFETY OF THE EMPLOYEE. A REQUEST MADE BY A DEPARTMENT UNDER THIS SUBDIVISION MUST INCLUDE SUFFICIENT INFORMATION FOR THE DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET TO MAKE A DETERMINATION.**
  - (B) **THE DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET RECEIVES A REQUEST FROM AN EMPLOYEE STATING THAT POSTING THE INFORMATION WOULD ENDANGER THE SAFETY OF THE EMPLOYEE.”.**

Representative Hertel testified in support of his amendment. Discussion followed.

Representative Hertel moved to adopt the amendment. The motion failed 3-3-0.

UNFAVORABLE ROLL CALL

Yeas: Reps. Howrylak, Hertel, Chirkun.

Nays: Reps. Graves, Iden, Johnson.

Pass: None.

Representative Chirkun offered the following amendment to House Bill 4301:

1. Amend page 3, line 19 after “**DETERMINATION.”** by inserting “**ADDITIONALLY, THE DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET SHALL NOT POST AN EMPLOYEE’S INFORMATION AS DESCRIBED IN SUBSECTION (3) (D) RELATED TO EMPLOYEES OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF CHILD PROTECTIVE SERVICES.”.**

Representative Chirkun testified in support of his amendment. Discussion followed.

Representative Chirkun moved to adopt the amendment. The motion failed 3-3-0.

**UNFAVORABLE ROLL CALL**

Yeas: Reps. Howrylak, Hertel, Chirkun.

Nays: Reps. Graves, Iden, Johnson.

Pass: None.

Representative Iden moved to report House Bill 4301 with recommendation, as amended, as substituted (H-3). The motion prevailed 4-2-0.

**FAVORABLE ROLL CALL**

Yeas: Reps. Graves, Howrylak, Iden, Johnson.

Nays: Reps. Hertel, Chirkun.

Pass: None.

Ray Holman on behalf of the UAW Local 6000 State Employees testified in opposition to House Bill 4301. Questions and discussion followed.

Liza Estlund Olson, Executive Director of Service Employees International Union 517M, testified in opposition to House Bill 4301.

The following people submitted a card in opposition to House Bill 4301, but did not wish to speak:

Nick Ciaramitaro, American Federation of State, County, and Municipal Employees.

Fran Brennan, Michigan American Federation of Labor and Congress of Industrial Organizations.

Mike Migrin, Michigan State Employee Association.

Marseille Allen, UAW Local 6000.

There being no further business before the committee, the Chair adjourned the meeting at 9:58 a.m.

**Representative Joseph Graves, Chair**\_\_\_\_\_

Ian Mays, Committee Clerk  
House Oversight Committee